

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

In the Matter of the Search of)	
Information Associated with)	
w*****1@gmail.com)	
That is Stored at Premises)	
Controlled by Google, Inc.,)	
)	
In the Matter of the Search of)	
A Wireless Telephone Assigned)	
Telephone Number (615) ***-****,)	Case No. 24-mj-4250, 24-mj-4276
Believed to Be Used by William)	
Andrew Ogles,)	Magistrate Judge Alistair Newbern
)	
U.S. Representative William)	
Andrew Ogles, in both his official)	
capacity as a Member of the U.S.)	
House of Representatives, and his)	
individual capacity,)	
)	
Movant.)	

MOTION TO CONSOLIDATE
AND FILE IN EXCESS PAGES

U.S. Representative William Andrew Ogles moves this Court to consolidate the above-referenced matters pursuant to Fed. R. Civ. P. 42(a). The dockets in both matters are presently under seal. But Congressman Ogles does not seek to file the instant motion or his Rule 41 motion under seal.

Congressman Ogles is challenging the constitutionality of the search warrants in both matters. The challenge involves common questions of fact because both warrants involved the search of property belonging to Congressman Ogles during an investigation conducted by the Department of Justice. And Congressman Ogles brings the same legal challenge to both: that the seized property contains legislative

materials protected from disclosure by the Constitution's Speech or Debate Clause. By separate and contemporaneous motion, pursuant to Fed. R. Crim. P. 41(g), he seeks return of the legislative materials. Thus, both search warrants implicate the same legal issue. Consolidation will allow the Court to adjudicate these shared factual and legal issues in a manner that avoids unnecessary costs or delay.

Therefore, Congressman Ogles respectfully requests that the Court consolidate these matters.

Pursuant to Local Rule 7.01(a)(2), Congressman Ogles also moves this Court for leave to file excess pages in his Emergency Motion for Return of Property (the "Motion"). The Motion would be under the 25-page limit set forth in Local Rule 7.01(a)(2) if it were in Times New Roman font. To enhance its readability, however, the Motion is set in Century Schoolbook. It is 28 pages long. Good cause also exists for the enlargement. The Motion addresses important constitutional protections provided to a sitting Member of Congress under the Speech or Debate Clause.

Therefore, Congressman Ogles respectfully requests that the Court grant him leave to file excess pages regarding this issue.

Date: September 3, 2024

Respectfully submitted,

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**Pro hac vice motion forthcoming*

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of September 2024, a true and correct copy of the foregoing has been emailed to the following counsel:

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